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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/766,700

01/28/2004

Buell Andrew Pratt

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12/02/2008

GREENBERG TRAURIG LLP (LA)

2450 COLORADO AVENUE, SUITE 400E

INTELLECTUAL PROPERTY DEPARTMENT

SANTA MONICA, CA 90404

EXAMINER

LEE, JOHN W

ART UNIT

PAPER NUMBER

2624

MAIL DATE

DELIVERY MODE

12/02/2008

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Attachment to Advisory Action

The applicant traverses the rejection under 35 USC 101 with respect to claims 27-37. However, the applicant is claiming an archive, which is software or a paper. The examiner states that the rejection under 35 USC 101 cannot be overcome with mere arguments because it is apparent that an archive is a non-statutory matter. It does not matter whether the claims were directed to a new and useful machine or manufacture.

The applicant traverses the rejection under 35 USC 112 with respect to claim 37. The examiner did not recognize that the 112 rejection should have been withdrawn during the interview. The examiner merely stated that the examiner will reconsider the applicant's argument in terms of the 112 rejection. However, the examiner does not agree with the applicant, and the 112 rejection cannot be withdrawn.

The applicant argues that the rejections of 102 & 103 are not valid. After reviewing the application and the prior art cited in the previous office action, the examiner would not withdraw the rejection. The prior art seems good enough to read on the claims. For further explanation, the applicant can refer to the previous office action mailed out.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to JOHN Wahnkyo LEE whose telephone number is (571)272-9554. The examiner can normally be reached on Monday - Friday (Alt.) 7:30 a.m. - 5:00 p.m..

Art Unit: 2624

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jingge Wu can be reached on (571) 272-7429. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Jingge Wu/
Supervisory Patent Examiner, Art Unit 2624

/John Wahnkyo Lee/
Examiner, Art Unit 2624

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